

8-23-10

2010 AUG 25 PM 4:16

TM

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

230803 Ricigliano Gof

RECEIVED

SEP 01 2010

OFFICE OF PETITIONS

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,916,250

Application Number 10/764,701

Issue Date July 12, 2005

Filing Date January 26, 2004

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above – identified patent

☐

Is a reissue of original Patent No. 08/30,250 Issued date 08/08/01 6,916,250

original application number 01 FC:1599 2130.00 DP

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

EXPRESS
CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

August 19, 2010
Date

Alfred M. Walker
Signature

Alfred M. Walker
Typed or Printed Name of Person Signing Certificate

- This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ 490	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 490

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 1640

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 2130☐ Please charge Deposit Account No. _____ the sum of \$ _____☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

RECEIVED

SEP 01 2010

OFFICE OF PETITIONS

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

7. OVERPAYMENT

As to any overpayment made please

- OR ☒ Credit to Deposit Account No. _____
- ☐ Send refund check

RECEIVED

SEP 01 2010

OFFICE OF PETITIONS

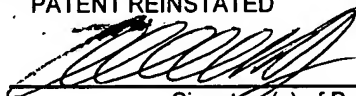
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



Signature(s) of Petitioner(s)

July 20, 2010

Date

William Ricigiano

Typed or printed name(s)_____
Registration Number, if applicable

239-348-9597

Telephone Number

1021 23rd Street. SW. , Naples, FL 34117

Address_____
Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

- ☒ Maintenance Fee Payment
- ☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐ _____

2010 AUG 25 PM 4: 34

Patent No. 7,030,893

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

First Named Inventor: Yang, Ming-Hsiang

Patent No.: 7,030,893

Filed: February 25, 2003

Docket: RIC106

Title: Method for driving full-color LED display board

SEP 01 2010

OFFICE OF PETITIONS

**REQUEST FOR CHANGE IN SMALL ENTITY STATUS AND PAYMENT OF
DEFICIENCY UNDER 37 C.F.R. § 1.28(c)**

Dear Sir:

Pursuant to 37 CFR § 1.28(c), applicant requests that this case be changed from small entity to large entity. Applicant submits that small entity status was properly established in good faith at the time of filing and issuance of the above-identified patent. However, upon review, it appears that the status of this patent should have been changed to Large Entity on September 4, 2008, when this application was assigned to a Large Entity.

The 3.5 year maintenance fee was paid on the Large Entity basis, but half of that amount was refunded back to the Patentee as the USPTO records indicate that this Patent is Small Entity.

Pursuant to 37 CFR 1.28(c)(2)(i), please charge Deposit Account No. 50-2121 \$490.00 to cover the cost of the total deficiency owed. No other fees are believed to be due. However, in the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Pursuant to 37 CFR 1.28(d), applicant requests that the payment of this deficiency be treated as a notification of a loss of entitlement to small entity status under 37 CFR §1.27(g)(2).

08/30/2010 DALLEN 00000024 502121 7030893

Respectfully submitted, 490.00 DA
6117.1000

By: /Edmund P. Pfleger/
Edmund P. Pfleger
Reg. No. 41,252